

By the Committee on Judiciary; and Senators Campbell and Fasano

308-1046-03

1 A bill to be entitled
2 An act relating to student loans; creating s.
3 43.201, F.S.; providing for a financial
4 assistance program administered by the Justice
5 Administrative Commission to provide assistance
6 to qualified assistant state attorneys and
7 assistant public defenders for the repayment of
8 eligible student loans; defining the term
9 "eligible student loan"; providing for the
10 elements of the program; providing for funding;
11 providing an effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Section 43.201, Florida Statutes, is
16 created to read:

17 43.201 Justice Administrative Commission; student loan
18 program administration.--

19 (1) The commission shall administer a student loan
20 program for career assistant state attorneys and assistant
21 public defenders as described in chapter 27. The purpose of
22 the program shall be to provide financial assistance to
23 assistant state attorneys and assistant public defenders with
24 eligible student loans.

25 (2) As used in this section, the term "eligible
26 student loan" means a loan that was issued pursuant to the
27 Higher Education Act of 1965, as amended, to an assistant
28 state attorney or assistant public defender to fund his or her
29 law school education.

30 (3) The program shall be administered in the following
31 manner:

1 (a) An assistant state attorney or public defender is
2 not eligible for assistance under the program until the
3 assistant state attorney or public defender has been employed
4 as an assistant state attorney or assistant public defender
5 for 3 years of continuous service on his or her employment
6 anniversary date.

7 (b) After completing 3 years of continuous service, an
8 affidavit of certification on a form approved by the
9 commission shall be submitted to the state attorney's office
10 or the public defender's office as the case may be. The
11 affidavit of certification shall, upon approval of the state
12 attorney or public defender, be submitted to the commission.

13 (c) Upon receipt of the certificate, the commission
14 may begin yearly payments in the amount of \$3,000 to the
15 lender that services the eligible student loan. These payments
16 shall be made for the benefit of the qualified assistant state
17 attorney or assistant public defender named in the certificate
18 and for the purpose of satisfying the eligible student loan
19 obligation.

20 (d) Upon completion of 6 years of continuous service,
21 the loan assistance payment amount shall increase to \$5,000.
22 After 12 years of continuous service or upon completion of the
23 payment of the eligible student loan, whichever occurs first,
24 loan assistance shall cease. The total amount of loan
25 assistance permitted under the program for any one assistant
26 state attorney or assistant public defender may not exceed
27 \$44,000.

28 (4) The program shall be funded by appropriations from
29 the Legislature out of the General Revenue Fund to the Justice
30 Administrative Commission on an annual basis.

31 Section 2. This act shall take effect July 1, 2003.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 96

- Corrects improper nomenclature by replacing the word "Judicial" with "Justice" when used in reference to the Justice Administrative Commission.
- Clarifies, by providing a definition for the term "eligible student loan," that the bill only covers student loans that were borrowed for law school and only those law school loans that were issued pursuant to the Higher Education Act of 1965.
- Clarifies that loan payments made on behalf of qualified assistant state attorneys and assistant public defenders shall be paid to the lender that services the student loan.